

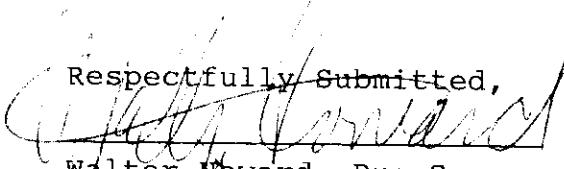
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Walter Howard, )  
PETITIONER, )  
v. ) C.A. No. 04-1264-DPW  
Robert Murphy, )  
RESPONDENT. )

PRO SE PETITIONER'S NOTICE THAT HIS ATTEMPTS TO  
EXHAUST STATE REMEDIES HAS PROVEN FUTILE

Now comes the Petitioner, Walter Howard, acting pro se at this time, who notices this Honorable Court that all his attempts to exhaust state remedies; through counsel, as pro se counsel, and other means, has proven futile. This Petitioner has received nothing but ineffective assistance of counsel and evading and frittering away of "his" claims by the Clerks of Courts, and the Courts of the Commonwealth. Please see Petitioner's Appellate motion to stay and the accompanying affidavit, which was included in the original filings. Petitioner therefore prays this Honorable Court will protect his Federal Constitutional and other legal rights, and enforce the same, since his counsels have failed or refused.

Dated: December 23, 2004

  
Respectfully Submitted,  
Walter Howard, Pro Se  
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Bridgewater, MA. 02324